



NOTICE OF VIOLATION

715147

Maricopa County Air Quality Department
1001 N. Central Avenue, Suite 500
Phoenix, AZ 85004 www.maricopa.gov/air
Phone: (602) 506-6010 Fax: (602) 506-2163

Date: 15-Jan-10 Time: 1115-1200 HRS
Inspector: Nick Manzano
Phone: 602.525.3386
Email: manzanon@mail.maricopa.gov

Permit Number: 040136
Expiration Date: 28-Feb-10
Source Code: CR, GE
District #: 158

Owner / Operator:
Hickmans Egg Ranch

Business Address
6515 S. Jackrabbit Tr.

City: Buckeye AZ Zip: 85343

Facility Name: **Hickmans Egg Ranch**

Primary Site Contact: **Paul Yeatts**

Site Location Address:
32425 W. Salome Hwy.

City:
Arlington

Phone:
623.694.5190

Fax:
623.328.0441

☐ Worksheet Attached ☐ Supplemental Report Attached

If this section has been completed, the original Inspection Report/ Violation Notice has been revised. See the attached Inspection Report Correction Notice for details.

☐ DOCUMENT REVISED Date: Revised by:

THE FOLLOWING ARE VIOLATIONS OF MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS

RULE	SECTION	NTC / NOV	DESCRIPTION
300	301	NOV	Failure to prevent visible fugitive dust emissions from exceeding 20% opacity. Specifically: Visible emission observed from a loading operation. Please see attached photo's.

Inspection Comments	Fellow Maricopa County Air Quality inspector Susan Avans and I observed dust from Salome Hwy. just off Ward Rd. in Arlington while conducting a special survey. Due to observing the emissions, we decided to get into proper position to conduct visible emissions testing...(Next Page)	
DISPOSITION DATE/TIME:		Disposition Comments
<input type="checkbox"/> Violation(s) Corrected	NOV REF:	
<input type="checkbox"/> See Violation Document:		

ALL VIOLATIONS MUST BE CORRECTED IMMEDIATELY-REFER TO BACK OF FORM FOR FURTHER INFORMATION.

If violations are noted, you must respond in writing within 10 days receipt of notice stating corrective action

Name: _____

Title: _____

Signature: _____

Date: _____

OFFICE USE

rec: *MC*
rev: _____

Signature is a receipt of Notice and not an admission of guilt.

White: Department

Pink: Responsible Party

NTC - NOTICE TO COMPLY: You are hereby notified that you **MUST** correct the violation(s) of Maricopa County Air Pollution Control Regulations or the specific condition(s) of your Air Quality Permit as indicated on the front **IMMEDIATELY**. Failure to correct the above condition(s) **IMMEDIATELY** will result in escalated enforcement action.

NOV - NOTICE OF VIOLATION: You are hereby notified that you are **IN VIOLATION** of the Maricopa County Air Pollution Control Regulations or specific condition(s) of your Air Quality Permit as indicated on the front. **THE VIOLATION(S) MUST BE CORRECTED IMMEDIATELY. ALL NOTICES OF VIOLATION ARE REFERABLE TO THE MARICOPA COUNTY AIR QUALITY DEPARTMENT ENFORCEMENT DIVISION OR THE MARICOPA COUNTY ATTORNEY FOR FURTHER ENFORCEMENT ACTION.**

*****Any NTC/NOV issued will result in "In Violation" project status.**

The Office of the Ombudsman is available to provide assistance to respondents who have received an NOV or NTC. A formal request for Ombudsman services must be made in writing within 10 business days of receipt to: Maricopa County Air Quality Department (Attn: Ombudsman) 1001 N. Central Ave., Phoenix, AZ 85004.

The owner/operator is ultimately responsible for any non-compliance either discovered or undiscovered by the department.

Last Inspection:	Fees Due?:	Permit Renewal Application due:
Complaints/ Enforcement:		
O&M Plan:	Date Submitted/ Approved:	

Emission Limits:	PM10	VOC	CO	NOx	SOx	Single HAPs	Total HAPs
Allowable:							
E.I. Reported:							

.... The testing was conducted off site (Susan and I parked on the southwest lane of Ward Rd. approximately 800 feet southwest of Salome Hwy (the measurement was calculated by using the 2009 Maricopa County Aerial photography and measuring tool)). Susan Avans conducted the visible emissions testing while I took pictures. Closely after arriving to the desired offsite location (approximately 3 to 5 minutes), I was approached by an individual that worked at the site, and I do not recall the Hickmans Egg Ranch workers name. I quickly went over who Susan and I were and our purpose for stopping near the operation (dust observed while driving off site) with this gentleman. This Hickmans Ranch worker then went back on the property and proceeded with his day. It appeared that the operation was going to cease, but it did not.

Approximately after 5 to 7 minutes of being in visible emissions position, both Susan and I were approached by Project Coordinator with Hickmans Egg Ranch, Paul Yeatts. At this time Mr. Yeatts was introduced to Susan. Mr. Yeatts and I had already met from a prior visit (for an odor complaint CC# 237736 (non-inspection)). Prior to going over the reason for our presence, I went over the inspection rights with Mr. Yeatts and an official copy of the inspection rights was hand delivered to him prior to leaving the site.

Mr. Yeatts believed that the loading operation (loading of limestone material that is used for feed) was part of the agriculture process and they were exempt.

Video were also taken of the operation.

The current status of any and all NOV's listed on this Inspection Report/Violation Notice can be tracked online at the following address:

http://www.maricopa.gov/aq/divisions/enforcement/nov/nov_status.aspx

(If access to the internet is unavailable, please call 602.506.6201 to obtain the status of the NOV.)



Maricopa County
Air Quality Department

Maricopa County Air Quality Department
1001 N. Central Avenue, Suite 500
Phoenix, AZ 85004
Phone: (602) 506-6010
Fax: (602) 506-0535

NOTICE OF INSPECTION RIGHTS

Company/Permit/
Notification Holder:

Hickman's Egg Ranch

Permit/

Notification No.: 040136

Date:

15 Jan 2010

Time:

1115 HRS

Site Contact:

PAUL YEATTS

Title:

Project Coordinator

Inspector:

Nick Manzano/Susan Avans

Phone:

602/525/3386

1. The Maricopa County Air Quality Department (hereinafter "department") representative(s) identified above was/were present at the above regulated site at the above listed date and time. Upon entry to the premises, the department representative(s) met with me, presented photo identification indicating that they are a department employee(s) and explained that:

• The purpose of this inspection is:

- To determine compliance with Arizona Revised Statutes (A.R.S. Title 49, Chapter 3, Article 3) and/or Maricopa County Air Pollution Control Regulations.
- To determine compliance with an Air Quality Permit issued pursuant to A.R.S. § 49-480, and Maricopa County Regulations Rule 100, Section 105.
- To determine compliance with an administrative or judicial order issued pursuant A.R.S. § 49-491, § 49-511, § 49-512.

• This inspection is being conducted pursuant to A.R.S. § 49-473, § 49-474, § 49-488, and/or the inspection and entry provisions in an Air Quality Permit or conditional order. There are no direct fees for this inspection.

2. I understand that I can accompany the department representative(s) on the premises, except during confidential interviews.
3. I understand that I have the right to copies of any original document(s) taken during the inspection, and that the department will provide copies of those documents at the department's expense.
4. I understand that I have a right to a split of any sample(s) taken during the inspection, if the split of the sample(s) would not prohibit an analysis from being conducted or render an analysis inconclusive.
5. I understand that I have the right to copies of any analysis performed on sample(s) taken during the inspection and that the department would provide copies of this analysis at the department's expense.
6. I understand that each person interviewed during the inspection will be informed that their statements may be included in the inspection report.
7. I understand that each person whose conversation will be tape-recorded during the inspection will be informed that the conversation is being tape-recorded.
8. I understand that if an administrative order is issued or a permit decision is made based on the results of the inspection, I have the right to appeal that administrative order or permit decision. I understand that my administrative hearing rights are set forth in A.R.S. § 49-482, § 49-498 et seq. and Maricopa County Air Pollution Control Regulation IV, Rule 400. If I have any questions concerning my rights to appeal an administrative order or permit decision, I may contact the department Ombudsman at 602-506-1813.
9. I understand that the issuance of a Notice to Comply or a Notice of Violation is not appealable. I understand that if I have any questions or concerns about this inspection, or I wish to dispute the inspection findings, I may contact the department Ombudsman at 602-506-1813.
10. If a Notice of Violation is issued, I understand that I may check its status at www.maricopa.gov/eq/divisions/enforcement/nov/nov_status.aspx.
11. While I have the right to decline to sign this form, the department representative(s) may still proceed with the inspection/investigation.

If you have any questions, you may contact
the inspector's supervisor:

Dave Shaw

at phone number:

602-506-16139

SIGN HERE:

Paul Yeatts

☐ Declined to Sign

☐ Not on Site